

## NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the Attorney General. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

### NOTICE OF FINAL RULEMAKING

#### TITLE 3. AGRICULTURE

#### CHAPTER 4. DEPARTMENT OF AGRICULTURE PLANT SERVICES DIVISION

[R05-462]

#### PREAMBLE

- 1. Sections Affected**

R3-4-244 R3-4-245	<b><u>Rulemaking Action</u></b> Amend Amend
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- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. §§ 3-107(A)(1), 3-201.01  
Implementing statute: A.R.S. § 3-232(A)(2)(b)
- 3. The effective date of the rules:**

February 4, 2006
- 4. A list of all previous notices appearing in the *Register* addressing the final rule:**

Notice of Rulemaking Docket Opening: 11 A.A.R. 1289, April 1, 2005  
Notice of Proposed Rulemaking: 11 A.A.R. 2634, July 15, 2005
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Rebecca A. Nichols, Rules Analyst
Address:	Arizona Department of Agriculture 1688 W. Adams, Room 235 Phoenix, AZ 85007
Telephone:	(602) 542-0962
Fax:	(602) 542-5420
E-mail:	rmichols@azda.gov
- 6. An explanation of the rule, including the agency's reason for initiating the rule:**

R3-4-244 and R3-245 are collectively known as the noxious weed rules. These rules regulate the movement, sale, and possession of noxious weeds in Arizona. R3-4-244 is an interior quarantine that deals with noxious weeds that are already present in Arizona and lists noxious weeds as "Regulated" or "Restricted." Regulated noxious weeds may be controlled to prevent further infestation or contamination. Restricted noxious weeds are quarantined to prevent further infestation or contamination. R3-4-245 is an exterior quarantine that prevents listed noxious weeds from entering the state of Arizona.

The proposed rulemaking would revise the definition for "habitat" and add *Pennisetum ciliare* (L.) Link – Buffelgrass, to the list of regulated noxious weeds in R3-4-244 and to the list of prohibited noxious weeds in R3-4-245. It would also add *Eichhornia crassipes* (Mart.) Solms – Floating water hyacinth to the list of prohibited noxious weeds in R2-245.

Buffelgrass is a drought-tolerant, warm-season, perennial forage grass that is grown throughout many arid and semi-arid regions in the world. It out-competes native shrubs and cacti for water and soil nutrients. Its most serious effect is to promote fires in native ecosystems that are not fire-adapted. Buffelgrass provides fuel continuity where it never existed before. Populations of the plant are expanding in southern Arizona, and now form large, burnable stands in Organ Pipe National Monument, Saguaro National Park, Ironwood Forest and Sonoran Desert National Monuments.

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*Eichhornia crassipes* (Mart.) Solms – Floating water hyacinth is an aquatic floating perennial with an extremely high growth rate and is difficult to control. Populations expand rapidly, forming dense mats that can produce high quantities of dry matter. Floating mats clog waterways; alter water oxygen levels, temperature, and pH; provide mosquito habitat; and displace native aquatic vegetation and wildlife. If floating water hyacinth is established in the water transportation system of Arizona, it would have a large economic impact on Arizona Agriculture.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

None

8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

9. **The summary of the economic, small business, and consumer impact:**

With the adoption of the rules, the savings to most of the entities involved would be immeasurable. It is difficult to put a price tag on the cost of eradication, loss of agriculture, natural resources and displacement of native plant species from infestations of these weeds around the state. There is a currently no known sales of these species within the nursery business in Arizona, therefore the costs of this rule to Arizona citizens is insignificant compared to the losses due to unwanted infestations.

The cost to state agencies, political subdivisions, the citizens of Arizona, and the environment of not listing the proposed noxious weeds would far outweigh any benefit of using these noxious weed species for ornamental or forage crop purposes. The cost of controlling wild fires fueled by dried buffelgrass alone would outweigh any possible benefit. In the first few weeks of the fire season this year alone, there were several buffelgrass wild fires in the Tucson area. Private and commercial structures are sometimes threatened by these fires.

10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

- A number of grammatical and formatting changes were made to conform to standards for rulemaking at the recommendation by G.R.R.C. staff.
- In item 11 of the preamble, an explicit response to a comment from the public made in opposition of this rule-making was included in the text.
- The original rule contained a reference to “waterhyacinth” as one word; although that is accepted within the industry, it was changed to two words to be consistent with the most popular convention.
- Additions were made to the Economic, Small Business and Consumer Impact Statement, and corresponding changes were made to item #9 in the Preamble of the rule to be consistent.

11. **A summary of the comments made regarding the rule and the agency response to them:**

A total of 12 separate comments were received in writing during the comment period.

Eleven of those comments were in support of the rule. Seven of those supporting the rule were sent from individuals, and the remaining four were sent on behalf of organizations. Those in favor of the rule provided evidence of Buffelgrass as a serious threat to native species as an invasive weed. Buffelgrass was characterized as a fire hazard and risk for potential encroachment on Sonoran desert plants and habitat vital to Arizona wildlife. Carianne Funicelli, the Chair of the Conservation Committee of the Arizona Native Plant Society stated it could cause “unprecedented and catastrophic economic and ecologic loss.”

The only comment in opposing the rule came from an individual describing himself as a certified professional in erosion and sediment control. He called this an “irrational action” and emphasized the need for buffelgrass in Arizona to control erosion in low elevations.

While the Department acknowledges the utility of buffelgrass as a plant for erosion control, other methods exist which do not pose such a clear fire threat to Sonoran Desert vegetation. There are many other plant species that are successfully used for erosion control such as non-invasive cover crops. This argument identifying buffelgrass as a useful plant in Arizona is clearly misguided when viewed in light of the fire hazard this grass poses.

12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

None

13. **Incorporations by reference and their location in the rules:**

None

14. **Was this rule previously made as an emergency rule?**

No.

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**15. The full text of the rules follows:**

**TITLE 3. AGRICULTURE**

**CHAPTER 4. DEPARTMENT OF AGRICULTURE  
PLANT SERVICES DIVISION**

**ARTICLE 2. QUARANTINE**

Section

R3-4-244. Regulated and Restricted Noxious Weeds

R3-4-245. Prohibited Noxious Weeds

**ARTICLE 2. QUARANTINE**

**R3-4-244. Regulated and Restricted Noxious Weeds**

A. Definitions. In addition to the definitions provided in A.R.S. § 3-201, the following terms apply to this Section:

1. "Habitat" means any terrestrial or aquatic area within Arizona, such as canals, drainage ditches, ponds, and lakes that is capable of sustaining plant growth.
2. "Infested area" means each individual container in which a pest is found or the specific area that harbors a pest.
3. "Regulated pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state may be controlled to prevent further infestation or contamination:

*Cenchrus echinatus* L. -- Southern sandbur,  
*Cenchrus incertus* M.A. Curtis -- Field sandbur,  
*Convolvulus arvensis* L. -- Field bindweed,  
*Eichhornia crassipes* (Mart.) Solms -- Floating ~~waterhyacinth~~ water hyacinth,  
*Medicago polymorpha* L. -- Burclover,  
*Pennisetum ciliare* (L.) Link -- Buffelgrass  
*Portulaca oleracea* L. -- Common purslane,  
*Tribulus terrestris* L. -- Puncturevine.

4. "Restricted pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state shall be quarantined to prevent further infestation or contamination:

*Acroptilon repens* (L.) DC. -- Russian knapweed,  
*Aegilops cylindrica* Host. -- Jointed goatgrass,  
*Alhagi pseudalhagi* (Bieb.) Desv. -- Camelthorn,  
*Cardaria draba* (L.) Desv. -- Globed-podded hoary cress (Whitetop),  
*Centaurea diffusa* L. -- Diffuse knapweed,  
*Centaurea maculosa* L. -- Spotted knapweed,  
*Centaurea solstitialis* L. -- Yellow starthistle (St. Barnaby's thistle),  
*Cuscuta* spp. -- Dodder,  
*Eichhornia crassipes* (Mart.) Solms -- Floating ~~waterhyacinth~~ water hyacinth,  
*Elytrigia repens* (L.) Nevski -- Quackgrass,  
*Euryops sunbarnosus* subsp. *vulgaris* -- Sweet resinbush,  
*Halogeton glomeratus* (M. Bieb.) C.A. Mey -- Halogeton,  
*Helianthus ciliaris* DC. -- Texas blueweed,  
*Ipomoea triloba* L. -- Three-lobed morning glory,  
*Linaria genistifolia* var. *dalmatica* -- Dalmation toadflax,  
*Onopordum acanthium* L. -- Scotch thistle.

B. Area under quarantine: All infested areas within the state.

C. The following commodities are hosts or carriers of the regulated or restricted pest:

1. All plants other than those categorized as a regulated or restricted pest;
2. Forage, straw, and feed grains;
3. Live and dead flower arrangements;
4. Ornamental displays;
5. Aquariums; and
6. Any appliance, construction or dredging equipment, boat, boat trailer or related equipment, or any other vehicle with

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soil attached or carrying plant debris.

- D. The Department may quarantine any commodity, habitat, or area infested or contaminated with a regulated pest and notify the owner or carrier of the restrictions and treatments listed in subsections (F) and (G). If the regulated pest is not quarantined, the Department shall provide the grower with technical information on effective weed control activities through integrated pest management.
- E. The Department shall quarantine any commodity, habitat, or area infested or contaminated with a restricted pest and shall notify the owner or carrier of the restrictions and treatments of the pest listed in subsections (F) and (G).
- F. Restrictions.
  - 1. No regulated or restricted pest or commodity infested or contaminated with a regulated or restricted pest shall be moved to a non-infested area unless the Director issues a permit for the transporting or propagating of the pest.
  - 2. An owner or the owner's representative shall notify the Department at least two working days in advance of moving contaminated equipment from an infested area.
  - 3. The Department may inspect all equipment within two working days after a request to inspect the equipment is made if the equipment:
    - a. Has been moved into or through a non-infested area;
    - b. Has not been treated; or
    - c. Has been used to harvest an infested crop within the past 12 months.
- G. Treatments.
  - 1. An owner or the owner's representative shall treat all soil and debris from equipment used in a quarantined area until it is free of the regulated or restricted pest before the equipment is moved. Removal or destruction of the restricted or regulated pest shall be accomplished through one of the following methods:
    - a. Autoclaving.
      - i. Dry heat. The commodity shall be heated for 15 minutes at 212° F.
      - ii. Steam heat. The commodity shall be heated for 15 minutes at 212° F;
    - b. Fumigating with ethylene oxide, chamber only: The commodity shall be fumigated with 1,500 mg/L for four hours in a chamber pre-heated to 115-125° F;
    - c. High-pressure water spray;
    - d. Crushing;
    - e. Incinerating; or
    - f. Burying in a sanitary landfill to a depth of six feet.
  - 2. An owner or the owner's representative shall treat an infested area or habitat, including the area within the crop, rangeland, roadside, or private property, with treatments based on an integrated pest management program appropriate to the commodity. The treatments shall take place under the direction of an inspector and shall include:
    - a. Reshipment from the state;
    - b. Manual removal;
    - c. Application of a herbicide;
    - d. Biological control including insects, fungi, nematodes, or microbes; or
    - e. Any other treatment approved by the Director.

**R3-4-245. Prohibited Noxious Weeds**

- A. Definition. In addition to the definitions provided in A.R.S. § 3-201, the following apply to this Section:
  - 1. "Habitat" means any terrestrial or aquatic area within Arizona, ~~such as canals, drainage ditches, ponds, and lakes that is capable of sustaining plant growth.~~
  - 2. "Infested area" means each individual container in which a pest is found, the specific area that harbors the pest, or any shipment that has not been released to the receiver and is infested with a pest.
  - 3. "Pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), that are prohibited from entering the state:
    - Acroptilon repens* (L.) DC. -- Russian knapweed,
    - Aegilops cylindrica* Host. -- Jointed goatgrass,
    - Alhagi pseudalhagi* (Bieb.) Desv. -- Camelthorn,
    - Alternanthera philoxeroides* (Mart.) Griseb. -- Alligator weed,
    - Cardaria pubescens* (C.A. Mey) Jarmolenko -- Hairy whitetop,
    - Cardaria chalepensis* (L.) Hand-Muzz -- Lens podded hoary cress,
    - Cardaria draba* (L.) Desv. -- Globed-podded hoary cress (Whitetop),
    - Carduus acanthoides* L. -- Plumeless thistle,
    - Cenchrus echinatus* L. -- Southern sandbur,
    - Cenchrus incertus* M.A. Curtis -- Field sandbur,
    - Centaurea calcitrapa* L. -- Purple starthistle,
    - Centaurea iberica* Trev. ex Spreng. -- Iberian starthistle,
    - Centaurea squarrosa* Willd. -- Squarrose knapweed,

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*Centaurea sulphurea* L. -- Sicilian starthistle,  
*Centaurea solstitialis* L. -- Yellow starthistle (St. Barnaby's thistle),  
*Centaurea diffusa* L. -- Diffuse knapweed,  
*Centaurea maculosa* L. -- Spotted knapweed,  
*Chondrilla juncea* L. -- Rush skeletonweed,  
*Cirsium arvense* L. Scop. -- Canada thistle,  
*Convolvulus arvensis* L. -- Field bindweed,  
*Coronopus squamatus* (Forsk.) Ascherson -- Creeping wartcress (Coronopus),  
*Cucumis melo* L. var. *Dudaim* Naudin -- Dudaim melon (Queen Anne's melon),  
*Cuscuta* spp. -- Dodder,  
*Drymaria arenarioides* H.B.K. -- Alfombrilla (Lightningweed),  
*Eichhornia azurea* (SW) Kunth. -- Anchored ~~water hyacinth~~ water hyacinth,  
*Eichhornia crassipes* (Mart.) Solms -- Floating water hyacinth.  
*Elytrigia repens* (L.) Nevski -- Quackgrass,  
*Euphorbia esula* L. -- Leafy spurge,  
*Halogeton glomeratus* (M. Bieb.) C.A. Mey -- Halogeton,  
*Helianthus ciliaris* DC. -- Texas blueweed,  
*Hydrilla verticillata* Royale -- Hydrilla (Florida-elodea),  
*Ipomoea* spp. -- Morning glory. All species except *Ipomoea carnea*, Mexican bush morning glory; *Ipomoea triloba*, three-lobed morning glory (which is considered a restricted pest); and *Ipomoea aborescens*, morning glory tree,  
*Ipomoea triloba* L. -- Three-lobed morning glory,  
*Isatis tinctoria* L. -- Dyers woad,  
*Linaria genistifolia* var. *dalmatica* -- Dalmation toadflax,  
*Lythrum salicaria* L. -- Purple loosestrife,  
*Medicago polymorpha* L. -- Burclover,  
*Nassella trichotoma* (Nees.) Hack. -- Serrated tussock,  
*Onopordum acanthium* L. -- Scotch thistle,  
*Orobancha ramosa* L. -- Branched broomrape,  
*Panicum repens* L. -- Torpedo grass,  
*Peganum harmala* L. -- African rue (Syrian rue),  
*Pennisetum ciliare* (L.) Link -- Buffelgrass.  
*Portulaca oleracea* L. -- Common purslane,  
*Rorippa austriaca* (Crantz.) Bess. -- Austrian fieldcress,  
*Salvinia molesta* -- Giant Salvinia,  
*Senecio jacobaea* L. -- Tansy ragwort,  
*Solanum carolinense* L. -- Carolina horsenettle,  
*Sonchus arvensis* L. -- Perennial sowthistle,  
*Solanum viarum* Dunal -- Tropical Soda Apple,  
*Stipa brachychaeta* Godr. -- Puna grass,  
*Striga* spp. -- Witchweed,  
*Trapa natans* L. -- Water-chestnut,  
*Tribulus terrestris* L. -- Puncturevine.

B. Area under quarantine: All states, districts, and territories of the United States except Arizona.

C. The following commodities are hosts or carriers of the pest:

1. All plants and plant parts other than those categorized as a pest;
2. Forage, straw, and feed grains;
3. Live or dead flower arrangements;
4. Ornamental displays;
5. Aquariums; and
6. Any appliance, construction or dredging equipment, boat, boat trailer or related equipment, or any other vehicle with soil attached or carrying plant debris.

D. The Department shall quarantine any commodity, habitat, or area infested or contaminated with a pest and shall notify the owner or carrier of the methods of removing or destroying the pest from the commodity, habitat, or area. The Department shall reject any shipment not released to the receiver and reship to the shipper.

E. Restrictions:

1. No pest or commodity infested or contaminated with a pest shall be admitted into the state unless the Director issues a permit for the transporting or propagating of the pest.
2. The Department shall regulate the movement of the commodity out of a quarantined area within the state until the

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pest is eradicated. Any shipment or lot of a commodity infested or contaminated with a pest arriving in the state in violation of this quarantine shall, according to A.R.S. § 3-205(A), be immediately reshipped from the state, or treated or destroyed using one of the following methods:

- a. The commodity shall be fumigated with 1,500 mg/L of ethylene oxide for four hours in a chamber pre-heated to 115-125° F;
- b. Incinerating;
- c. Burying in a sanitary landfill to a depth of six feet;
- d. Application of a herbicide; or
- e. Any other treatment approved by the Director.

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TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES

[R05-461]

PREAMBLE

1. **Sections Affected** **Rulemaking Action**  
R17-4-305 Amend
2. **The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. § 28-366  
Implementing statute: A.R.S. §§ 28-4546, 28-4548, 28-4549, 28-4552, 28-5006, 28-5007
3. **The effective date of the rules:**  
February 6, 2006
4. **A list of all previous notices appearing in the Register addressing the final rule:**  
Notice of Rulemaking Docket Opening: 11 A.A.C. 2754, July 22, 2005  
Notice of Proposed Rulemaking: 11 A.A.C. 2698, July 22, 2005
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**  
Name: Troy A. Walters, Rules Analyst  
Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 530M  
1801 W. Jefferson, Room 407  
Phoenix, AZ 85007  
Telephone: (602) 712-8994  
Fax: (602) 241-1624  
E-mail: twalters@azdot.gov  
Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.dot.state.az.us/about/rules/index.htm](http://www.dot.state.az.us/about/rules/index.htm).
6. **An explanation of the rule, including the agency's reason for initiating the rule:**  
The Motor Vehicle Division "MVD" is amending this rule due to legislative changes that require new and used motor vehicle dealers and title service companies to send Temporary Registration Plate "TRP" information through an authorized third party or the Division's authorized third-party electronic service provider.  
There are two entities that can build an electronic TRP application:
  - The Division's authorized third-party electronic service provider ServiceArizona.com, and
  - A participating authorized third party.The TRP information sent will be recorded in the Division's vehicle title and registration database and the information shall be made available to law enforcement officers as required by statute. The previous process did not require the electronic recording of Temporary Registration Plate "TRP" information on the title and registration database. This process precluded any compliance efforts by law enforcement since the ability to electronically query the owner

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of a TRP did not exist. Additionally, A.R.S. §§ 28-4549 and 28-5006 state that each dealer or title service company sending an electronic record of the TRP through the Division's authorized third-party electronic service provider shall pay a fee of one dollar to the Division's authorized third-party electronic service provider.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The agency did not review any study for this rulemaking.

8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

9. **The summary of the economic, small business, and consumer impact:**

The Division experiences minimal cost for rulemaking only. New and used motor vehicle dealers and title service companies may experience a minimal to moderate economic impact to obtain computer equipment and Internet access to enable the sending of "TRP" information via a participating authorized third party or the Division's authorized third-party electronic service provider, depending on whether or not the dealer or title service company has the technology. Those dealers and title service companies without electronic capability may experience a moderate to significant economic impact, as these entities will not be authorized to issue "TRPs." Additionally, both dealers and title service companies experience a minimal impact for the one dollar fee charged for sending an electronic record of the "TRP" through the Division's authorized third-party electronic service provider.

10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

Minor technical and grammatical changes were made for clarity.

11. **A summary of the comments made regarding the rule and the agency response to them:**

None

12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

13. **Incorporations by reference and their location in the rules:**

None

14. **Was this rule previously made as an emergency rule?**

No.

15. **The full text of the rules follows:**

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES

ARTICLE 3. VEHICLE REGISTRATION

Section

R17-4-305. Temporary Registration Plate "TRP" Procedure

ARTICLE 3. VEHICLE REGISTRATION

R17-4-305. Temporary Registration Plate "TRP" Procedure

~~A. Issuing-~~

1. ~~A temporary registration plate "TRP" issuer shall validate the plate by:~~
  - a. ~~Marking an expiration date of no more than 45 days from validation with a black felt tip marker in a manner that fills the space provided for the date and covers the holographic security strip; and~~
  - b. ~~Completing applicable information in all other blank spaces on the TRP.~~
2. ~~An issuer shall not issue more than one TRP per vehicle sale;~~
3. ~~An issuer shall attach a TRP to the vehicle rear in the same manner and position as a permanent license plate prescribed under A.R.S. § 28-2354; and~~
4. ~~An issuer shall complete and distribute copies of a TRP registration form as follows:~~

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- a. ~~One copy to the owner to keep in the vehicle; and~~
- b. ~~One copy to MVD as a support document for title application processing.~~

**B. ~~Voiding.~~**

- 1. ~~An issuer shall void a TRP under the following conditions:~~
  - a. ~~The issuer writes the TRP but does not complete Arizona vehicle registration;~~
  - b. ~~The issuer issues a duplicate TRP for the same vehicle or purchaser; or~~
  - e. ~~The issuer makes any alteration on the TRP.~~
- 2. ~~An issuer shall reimburse MVD \$8 for each voided TRP.~~

**C. ~~Recording.~~**

- 1. ~~A TRP issuer shall complete a written log of each TRP issue transaction using either:~~
  - a. ~~MVD form 48-4302-R09/97 as issued with the TRP and registration form; or~~
  - b. ~~An issuer self-generated computer form that:~~
    - i. ~~Contains all information required under subsection (C)(2), and~~
    - ii. ~~Has an MVD copy of each completed TRP attached.~~
- 2. ~~A TRP log form contains:~~
  - a. ~~TRP number;~~
  - b. ~~TRP issue date;~~
  - e. ~~Vehicle purchaser name and address;~~
  - d. ~~Vehicle identification number; and~~
  - e. ~~Attachment of any voided TRP or letter of explanation if a voided TRP is not available for attachment.~~
- 3. ~~A TRP issuer shall distribute copies of a TRP log as follows:~~
  - a. ~~One copy to the original MVD or third-party office issuing the TRP and registration form; and~~
  - b. ~~One copy for issuer records subject to MVD audit.~~
- 4. ~~An issuer shall keep the TRP log record in subsection (C)(1) for three years as prescribed under A.R.S. § 28-4552(B).~~

**A. Definitions.**

- 1. “Charitable Event TRP” means a TRP issued to a motor vehicle dealership or manufacturer for a charitable event as prescribed by A.R.S. § 28-4548.
- 2. “Deal Unwound” means the vehicle was returned to the dealership and the sale was not completed.
- 3. “Voided TRP” means a TRP that the issuer records as voided after issuing the TRP.

**B. Issuing.**

- 1. New and used motor vehicle dealers and title service companies that issue TRPs shall send an electronic record of the TRP to the Division before placing the TRP on the vehicle.
- 2. The TRP expiration date shall be 45 days from the issue date.
- 3. TRPs issued for charitable events are valid for the duration of the event not to exceed 45 days.
- 4. An issuer shall not issue more than one TRP per vehicle sale.
- 5. An issuer shall attach the TRP to the vehicle rear in the same manner and position as a permanent license plate prescribed under A.R.S. § 28-2354.

**C. Voiding. An issuer shall void a TRP when:**

- 1. The TRP is lost.
- 2. The TRP is damaged.
- 3. The dealer reports a deal unwound.
- 4. The issuer enters the wrong vehicle identification number, or
- 5. The issuer enters the wrong customer identification number.